

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION

SKYLER THOMAS RICE)
Petitioner
V.
ED GONZALEZ,
SHERIFF OF HARRIS COUNTY
Respondent

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Civil Action No. _____

DECLARATION IN SUPPORT OF PLAINTIFF'S
MOTION FOR A TEMPORARY RESTRAINING ORDER AND
PRELIMINARY INJUNCTION

Skyler Rice states:

1. I am the Plaintiff in this case. I make this declaration in support of my motion for a temporary restraining order and a preliminary injunction requiring that Respondent release me on my own recognizance and refrain from re-detaining me for the duration of the pandemic caused by the novel coronavirus, COVID-19.
2. As set forth in my Petition/Complaint in this case, I have underlying health conditions of: Asthma, Hypertension, PTSD, Depression, nicotine addiction, and opiod addiction. These health conditions place me in a high risk category of potential loss of health and life from the COVID-19 Pandemic.
3. I am currently being held without bail on a Possession of Controlled Substance charge, The State of Texas v. Skyler Thomas Rice, Harris County 338th Judicial District Court, Cause Number #1580280.
4. It is impossible for me to implement (CDC) recommendations to reduce the likelihood of contracting COVID-19 while in the Harris County Jail.
5. The Center's for Disease Control and Prevention (CDC) has acknowledged that correctional and detention facilities "present unique challenges for control of COVID-19 transmission among incarcerated/detained person, staff, and visitors".
6. Petitioner's continued confinement at the Harris County Jail exposes him to substantial risk of contracting COVID-19, which due to his specific underlying health conditions exposes him to a substantial risk of irreparable harm to his life or possibly death.

7. Subjecting me to further detention conditions that amount to punishment and that fails to ensure my safety and health, Respondent is subjecting me to a substantial risk of serious harm, in violation of my rights under Due Process Clause and Eighth Amendment.
8. I am at the Harris County Jail where I am in an environment where I share toilets, sinks, phones, and showers, eat in communal spaces, and I am in close contact with many other detainees and officers. I have involuntary interaction with purportedly asymptomatic guards who rotate shifts and also significantly expose me.
9. For the reasons set forth in the memorandum of Law filed with this motion, the Plaintiff is entitled to a temporary restraining order requiring the Respondent to release me from custody on my own recognizance and to refrain from re-detaining me pending the pandemic caused by COVID-19.
10. For the foregoing reasons, the Court should grant the Plaintiff's motion in all respects.

Pursuant to 28 U.S.C. § 1746, I declare under penalty of perjury the foregoing is true and correct.

Skyler Rice

04/11/2020

Skyler Thomas Rice #01956417
Harris County Jail - 5H1
1200 Baker St.
Houston, TX 77002